

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF MISSOURI**

ENTERPRISE BANK & TRUST	:	
	:	
Plaintiff,	:	
	:	Case No.
v.	:	
	:	
AMERISOURCEBERGEN DRUG	:	
CORPORATION	:	
	:	
Defendant.	:	

**NOTICE OF REMOVAL OF ACTION
UNDER 28 U.S.C. §1441**

PLEASE TAKE NOTICE that Defendant AmerisourceBergen Drug Corporation (“ABDC”), by and through its undersigned counsel, and pursuant to 28 U.S.C. § 1441 and 28 U.S.C. § 1446, hereby gives notice of its removal of the above-styled action from the Circuit Court of the City of St. Louis, Missouri, to the Eastern Division of the United States District Court, Eastern Division. In support thereof, ABDC states as follows:

1. On April 12, 2022, plaintiff commenced a civil action by filing a Petition in the Circuit Court of the City of St. Louis, State of Missouri, No. 2222-CC-00612, captioned as Enterprise Bank & Trust v. AmerisourceBergen Drug Corporation (the “Petition”). A copy of all pleadings and papers filed the aforesaid state court action are attached hereto as Exhibit A.

2. ABDC first received a copy of the Petition by e-mail on April 12, 2022. Therefore, pursuant to 28 U.S.C. § 1446(b), this Notice is being filed within the requisite thirty (30) days from the date of the first receipt of the Petition.

3. This action is a civil action of which this Court has original jurisdiction under 28

U.S.C. §1332(a)(1) and is one that may be removed to this Court by ABDC pursuant to 28 U.S.C. §1441(b) in that it is a civil action between citizens of different states.

4. Plaintiff is a Missouri chartered trust company with a main office and principal place of business at 150 N. Meramec Avenue, Clayton, Missouri 63015. Plaintiff is a citizen of Missouri.

5. Plaintiff is wholly owned by Enterprise Financial Services Corp., a financial holding company incorporated under Delaware law, with a principal place of business at 150 N. Meramec Avenue, Clayton, Missouri 63105. Thus, Plaintiff may be a citizen of Delaware as well as Missouri.

6. ABDC, the only defendant, is a Pennsylvania corporation with a principal place of business in Pennsylvania as alleged in ¶2 of the Petition. Thus, ABDC is a citizen of Pennsylvania.

7. The amount in controversy in this dispute exceeds \$75,000.00, exclusive of interest and costs, as alleged in ¶34 of the Petition.

8. Contemporaneous with the filing of this Notice and pursuant to 28 U.S.C. 1446(d), written notice of the filing of this Notice of Removal has been mailed to Plaintiff's attorney or record and filed with the Clerk of the Circuit Court of the City of St. Louis, Missouri.

9. Accordingly, defendant ABDC respectfully submits this Notice of Removal of this action pursuant to 28 U.S.C. § 1441(b) and notifies plaintiff Enterprise Bank & Trust of the removal of this civil action to the United States District Court for the Eastern District of Missouri.

Respectfully submitted,

SUMMERS COMPTON WELLS LLC

/s/ Stephen C. Hiotis
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Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of May, 2022, a copy of the foregoing was served via electronic filing in the CM/ECF system of the United States District Court for the Eastern District of Missouri to the parties requesting service by electronic filing. A true copy of the foregoing was also sent via first class U.S. Mail, postage prepaid, to:

Duane L. Coleman
Larry E. Parres
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St. Louis, MO 63101

Attorneys for Plaintiff

/s/ Stephen C. Hiotis

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